

**WISCONSIN MEDICAL EXAMINING BOARD and STATE MEDICAL BOARD OF OHIO**  
**DISCIPLINARY GUIDELINES COMPARISON REPORT**  
(SEPTEMBER 16, 2013)

**CATEGORY I**  
**IMPROPER PRESCRIBING, DISPENSING, OR ADMINISTERING OF DRUGS**

**A. Prescribing, dispensing, or administering of any drug for excessive periods of time and/or in excessive amounts.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Definite suspension, min. 90 days; subsequent probation, min. 2 years, to include prescribing course.

Wisconsin

- Maximum Penalty:
- Minimum Penalty:
  - Surrender/no renew
  - Reprimand/education/limitation-prescribing
  - Summary suspension
  - Shall reapply

**B. Failing to keep patient records of substances prescribed, dispensed or administered; and/or failing to perform appropriate prior examination and/or failure to document in the patient record performance of appropriate prior examination.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Reprimand; probation, min. 2 years, to include medical-recordkeeping course

Wisconsin

- Maximum Penalty:
- Minimum Penalty:
  - Reprimand
  - Reprimand/education
  - Reprimand/education/limitation-prescribing
  - Reprimand/suspension/education
  - Revocation
  - Suspension/education/limitation-practice
  - Summary suspension
  - Reprimand/limitation/maintain compliance with each term of another state order
  - Reprimand/limitations-mentor, prescribing
  - Suspension/education/limitation-practice

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**C. Inappropriate purchasing, controlling, dispensing, and/or administering of any drug.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Definite suspension, min. 60 days; subsequent probation, min. 2 years.

Wisconsin

- Maximum Penalty:
- Minimum Penalty:
  - Reprimand/education/suspension stayed
  - Suspension stayed after 90 days
  - Will not reapply-no finding
  - Reprimand/suspension/education
  - Reprimand

**D. Failure to use acceptable methods in selection of drugs or other modalities.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 180 days, with conditions for reinstatement; subsequent probation, min. 3 years.

Wisconsin

- Maximum Penalty:
- Minimum Penalty:

**E. Selling, prescribing, dispensing, giving away, or administering any drug for other than a legal and legitimate, therapeutic purpose and/or selling, prescribing, dispensing, giving away, or administering any drug in exchange for sexual favors.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Permanent revocation of certificate or permanent denial of application.

Wisconsin

- Maximum Penalty:
- Minimum Penalty:

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**F. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a drug related felony, except where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self use.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Permanent revocation of certificate or permanent denial of application.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
- No finding-comply with treatment and testing required by program
- Suspension

**G. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a drug related misdemeanor, except where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self use.**

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 180 days, with conditions for reinstatement; subsequent probation, min. 2 years.

**H. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a drug-related felony where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self- use.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: 90 days of suspension in addition to the minimum penalty for the applicable guideline section under Category IX.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

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- I. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a drug-related misdemeanor where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self- use.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: 30 days of suspension in addition to the minimum penalty for the applicable guideline section under Category IX.

Wisconsin

- Maximum Penalty:
- Minimum Penalty:

- J. Utilizing a controlled substance in the treatment of a family member of self in violation of Section 4731-11-08, Ohio Administrative Code. (10.02(2)(p) Wisconsin Administrative Code)**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Reprimand; probation, min. 2 years, to include appropriate medical-education course.

Wisconsin

- Maximum Penalty:
- Minimum Penalty:

- Reprimand

**CATEGORY II**  
**MINIMAL STANDARDS OF CARE**

- A. Departure from or failure to conform to minimal standards of care.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Probation, min. 3 years.

Where appropriate, permanent limitations and restrictions may also be imposed.

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
- Reprimand/education/limitation-prescription
- Limitation/education
- Revocation
- Reprimand/remedial education
- Limitation-mentor, supervision
- Reprimand/education
- Reprimand/education/mentor/limitation-practice
- Retire-shall not reapply
- Limitation with education, testing, review of charts

**B. Sexual misconduct within practice.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 1 year, with conditions for reinstatement; subsequent probation as appropriate.

Where appropriate, permanent limitations and restrictions may also be imposed.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
- Voluntary surrender
- Surrender-shall not reapply
- Suspension (stayed)/treatment/work reports
- Suspension
- Suspension (stayed)/education/mentor
- No finding/shall not reapply
- Suspension (stayed)
- Surrender/agree-if reapply may limit

**CATEGORY III**  
**FRAUD, MISREPRESENTATION, OR DECEPTION**

**A. Fraud in passing examination.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Revocation of certificate or denial of application (minimum required by statute)

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
- Reprimand

**B. Publishing a false, fraudulent, deceptive, or misleading statement.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension for 30 days; subsequent probation, min. 1 year.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**C. Obtaining, or attempting to obtain, anything of value by fraudulent misrepresentations in the course of practice.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 1 year, with conditions for reinstatement; subsequent probation, min. 2 years.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
- Surrender-may limit if reapply
- Suspension (stayed)-limit/monitor

**D. Deceptive advertising.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension for 30 days; subsequent probation, min. 1 year.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

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**E. Representing, with purpose of obtaining compensation or advantage, that incurable disease can be cured.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 3 years, with conditions for reinstatement to include SPEX and personal/professional ethics courses; subsequent probation, min. 5 years, including requirements for a practice plan and monitoring physician prior to resuming practice.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**CATEGORY IV**  
**ETHICS VIOLATIONS**

**A. Division of fees for referral of patients, or receiving a thing of value for specific referral of patient to utilize particular service or business.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 1 year, with conditions for reinstatement; subsequent probation as appropriate.

See category II penalties for sexual misconduct within practice, and category III penalties for fraudulent acts.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**B. Code of ethics violation.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Reprimand

See category II penalties for sexual misconduct within practice, and category III penalties for fraudulent acts.

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Reprimand/education

**C. Willfully betraying a professional confidence.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension for 30 days; subsequent probation, min. 1 year, to include condition of successfully completing appropriate ethics course(s).

See category II penalties for sexual misconduct within practice, and category III penalties for fraudulent acts.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**CATEGORY V**  
**ACTIONS BY OTHER STATES OR ENTITIES**

**A. Limitation, revocation, suspension, acceptance of license surrender, denial of license, refusal to renew or reinstate a license, imposition of probation, or censure or other reprimand, by another jurisdiction; action against clinical privileges by Department of Defense or Veterans Administration; or termination or suspension from Medicare or Medicaid.**

**Ohio**

- Maximum Penalty: Correspond to maximum penalty in Ohio for type of violation committed.
- Minimum Penalty: Correspond to maximum penalty in Ohio for type of violation committed.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Suspension/limit/require assessment
  - Reprimand/limitation-practice/maintain compliance with another state order
  - Shall not reapply-no findings
  - Revocation
  - Surrender/Agreement-requirements to be met before reapply
  - Limit/maintain compliance with another state order



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- Reprimand
- Reprimand with proof of compliance
- Reprimand with education and AA attendance

- Surrender-may limit if reapply
- Surrender-no reapply
- Suspension (Stayed)/Limit/maintain compliance with another state order

**CATEGORY VI**  
**UNAUTHORIZED PRACTICE**

**A. Practice during suspension imposed by Board Order.**

Ohio

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Permanent revocation of certificate or permanent denial of application.

See category VII penalties for practice in violation of conditions of limitation placed by the Board

Wisconsin

- Maximum Penalty:
- Minimum Penalty:

**B. Applicant's prior practice without license or registration as physician assistant, anesthesiologist assistant, or radiologist assistant.**

Ohio

- Maximum Penalty: Denial of licensure or P.A. /A.A. /R.A. registration with conditions for any future application.
- Minimum Penalty: Denial of licensure or P.A. /A.A. /R.A. registration.

See category VII penalties for practice in violation of conditions of limitation placed by the Board

Wisconsin

- Maximum Penalty:
- Minimum Penalty:

**C. Aiding and abetting, unlicensed practice or practice by unregistered physician assistant, anesthesiologist assistant, or radiologist assistant.**

Ohio

- Maximum Penalty: One-year suspension; subsequent 2-year probation including requirement of annual report of utilization of employee or P.A./A.A./R.A.
- Minimum Penalty: Suspension for 30 days; subsequent 2-year probation including requirement of annual report of utilization of employee or P.A./A.A./R.A.

See category VII penalties for practice in violation of conditions of limitation placed by the Board

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**D. Practice outside scope of license or registration.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: 30-day suspension

See category VII penalties for practice in violation of conditions of limitation placed by the Board

**Wisconsin**

- Maximum Penalty:
  - Minimum Penalty:
- Summary Suspension

**E. Supervising a physician assistant, anesthesiologist assistant, or radiologist assistant in the absence of an approved supervisory plan and approved supervision agreement.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension for 90 days.

See category VII penalties for practice in violation of conditions of limitation placed by the Board

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**F. Practice of a physician assistant, anesthesiologist assistant, or radiologist assistant in the absence of an approved supervisory plan and an approved supervision agreement.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension for 90 days.

See category VII penalties for practice in violation of conditions of limitation placed by the Board

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

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**G. Permitting a physician assistant, anesthesiologist assistant, or radiologist assistant to perform services as a P.A., A.A., or R.A. in a manner that is inconsistent with the supervisory plan or special services plan under which that P.A./A.A./R.A. practices.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Probation (non-appearing), min. 1 year.

[See category VII penalties for practice in violation of conditions of limitation placed by the Board](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**H. Practice of a physician assistant, anesthesiologist assistant, or radiologist assistant in a manner that is inconsistent with the supervisory plan or special services plan under which that P.A./A.A./R.A. practices.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Probation (non-appearing), min. 1 year.

[See category VII penalties for practice in violation of conditions of limitation placed by the Board](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**I. Permitting a physician assistant to perform services as a physician assistant in a manner that is not in accordance with Chapter 4730 or other applicable chapter of the Revised Code and/or the rules adopted thereunder.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 180 days, with conditions for reinstatement; subsequent probation, min. 3 years.

[See category VII penalties for practice in violation of conditions of limitation placed by the Board](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

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**J. Practice of a physician assistant in a manner that is not in accordance with Chapter 4730 or other applicable chapter of the Revised Code and/or the rules adopted thereunder.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Indefinite suspension, min. 180 days, with conditions for reinstatement; subsequent probation, min. 3 years.

[See category VII penalties for practice in violation of conditions of limitation placed by the Board](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**K. Failure to timely report termination of a physician assistant supervision agreement to the Board.**

**Ohio**

- Maximum Penalty: Suspension for 2 years.
- Minimum Penalty: Reprimand

[See category VII penalties for practice in violation of conditions of limitation placed by the Board](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**L. Limited Practitioner Holding Self Out as Doctor or Physician in Violation of Rule 4731-1-03(D) and/or 4731-1-03(E), Ohio Admin. Code.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Indefinite suspension, min. 180 days; conditions for reinstatement to include eliminating the offending references from any advertising, internet sites, signs, business cards, stationery, and similar locations; subsequent probation, min. 2 years.

[See category VII penalties for practice in violation of conditions of limitation placed by the Board](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

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**CATEGORY VII**  
**VIOLATION OF CONDITIONS OF LIMITATION**

**A. Violation of practice or prescribing limitations placed by the Board.**

[Ohio](#)

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Indefinite suspension, min. one year, with conditions for reinstatement; subsequent probation, min. 3 years.

[Wisconsin](#)

- Maximum Penalty:
- Minimum Penalty:
  - Surrender/Agree-requirements to be met before re-apply
  - Surrender/agree-if reapply may impose limitations

**B. Violation of conditions of limitation, other than practice prohibitions, placed by the Board.**

[Ohio](#)

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application
- Minimum Penalty: Indefinite suspension, min. as appropriate, with conditions for reinstatement; subsequent probation, min. 3 years

[Wisconsin](#)

- Maximum Penalty:
- Minimum Penalty:

**CATEGORY VIII**  
**CRIMINAL ACTS OR CONVICTIONS**

**A. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a felony committed in course of practice, except where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self-use.**

[Ohio](#)

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Permanent revocation of certificate or permanent denial of application.

[See category I penalties for drug related convictions.](#)

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Suspension (Stayed)
  - Limitation

**B. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a felony not committed in course of practice.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 30 days, with conditions for reinstatement; subsequent 3 year probation  
[See category I penalties for drug related convictions.](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Voluntary Surrender
  - Reprimand/education/testing

**C. Commission of act constituting a felony in this state, regardless of where committed, if related to practice, except where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self-use.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Permanent revocation of certificate or permanent denial of application.  
[See category I penalties for drug related convictions.](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**D. Commission of act constituting a felony in this state, regardless of where committed, if unrelated to practice.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 30 days, with conditions for reinstatement; subsequent 3 year probation.  
[See category I penalties for drug related convictions.](#)

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**E. Plea of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in course of practice or involving moral turpitude.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 180 days, with conditions for reinstatement; subsequent probation, min. 2 years.

[See category I penalties for drug related convictions.](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**F. Commission of act constituting a misdemeanor committed in course of practice or involving moral turpitude.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension for 30 days; subsequent probation, min. 2 years.

[See category I penalties for drug related convictions.](#)

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**G. Pleas of guilty to, judicial finding of guilt of, or judicial finding of eligibility for intervention in lieu of conviction for, a felony committed in course of practice, where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self-use.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: 90 days of suspension in addition to the minimum penalty for the applicable guideline section under Category IX.

[See category I penalties for drug related convictions.](#)

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**H. Commission of act constituting a felony in this state, regardless of where committed, if related to practice, where the underlying criminal conduct was directly related to a substance-related impairment of the respondent and was committed to obtain substance(s) solely for self-use.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: 90 days of suspension in addition to the minimum penalty for the applicable guideline section under Category IX.

See category I penalties for drug related convictions.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**CATEGORY IX**  
**IMPAIRMENT OF ABILITY TO PRACTICE**

**A. Initial Impairment and/or Less than One Year of Sobriety: Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision).**

This section applies to:

- All licensees holding an active certificate,
- All licensees holding a previously active certificate that is currently expired/inactive/lapsed for any reason,
- All applicants for licensure/reinstatement/restoration who have not demonstrated continuous current sobriety for at least one year since the date of the applicant's discharge from treatment where the treatment was completed and conformed with board requirements.
- 

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, no minimum, with conditions for reinstatement; subsequent probation, minimum 5 years.



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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Suspension
  - Surrender/if reapply may impose limitations
  - Suspension (Stayed) – Limit/monitor
  - No finding-shall not reapply

**B. “Slip Rule”: Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision), where all conditions set forth in Rule 4731-16-02(D), Ohio Administrative Code, have met.**

The Respondent will not be subjected to suspension or other formal discipline.

**Ohio**

- Maximum Penalty: The Respondent will not be subjected to suspension or other formal discipline.
- Minimum Penalty: The Respondent will not be subjected to suspension or other formal discipline.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**C. First Relapse: Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision); first relapse during or following treatment, and/or where all conditions set forth I Rule 4731-16-02(D), Ohio Administrative Code, have not been met.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 90 days following date of license suspension (mandated by administrative rule), with conditions for reinstatement; subsequent probation, min. 5 years.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

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**D. Second Relapse: Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision); second relapse during or following treatment.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 1 year following date of license suspension (mandated by administrative rule), with conditions for reinstatement; subsequent probation, min. 5 years.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**E. Third Relapse: Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision); third relapse during or following treatment.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Indefinite suspension, min. 3 years following date of license suspension (mandated by administrative rule), with conditions for reinstatement; subsequent probation, min. 5 years.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**F. Impairment, 1 – 5 Years of Sobriety: Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision).**

This section applies to all applicants for licensure/reinstatement/restoration who have demonstrated continuous current sobriety for more than one year, but less than five years, since the date of the applicant's discharge from treatment where the treatment was completed and conformed with board requirements.

**Ohio**

- Maximum Penalty: Permanent denial of application.
- Minimum Penalty: Application granted; subject to probation for a minimum term that, when added to the applicant's demonstrated period of continuous current sobriety, shall not be less than 5 years.

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**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Suspension (Stayed)

**G. Impairment, 5+ Years of Sobriety:** Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances (including the inability to practice in accordance with such standards without appropriate treatment, monitoring, or supervision).

This section applies to all applicants for licensure/reinstatement/restoration who have demonstrated continuous current sobriety for more than five years since the date of the applicant's discharge from treatment where the treatment was completed and conformed with board requirements.

**Ohio**

- Maximum Penalty: Permanent denial of application.
- Minimum Penalty: License may be granted/reinstated/restored without probation or other disciplinary action.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**H. Mental/Physical Illness, Currently Unable to Practice:** Inability to practice according to acceptable and prevailing standards of care by reason of mental or physical illness (including any mental disorder, mental illness, physical illness, or physical deterioration that adversely affects cognitive, motor, or perceptive skills).

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: If applicant: Granting of license subject to indefinite suspension, min. as appropriate; conditions for reinstatement; subsequent probation, min. 2 years.  
If licensee: Indefinite suspension, min. as appropriate; conditions for reinstatement; subsequent probation, min. 2 years.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Reprimand/Limitation – supervision, education
  - Limitation requiring treatment
  - Retirement/will not reapply-no finding
  - Summary Suspension
  - Surrender/agree-if reapply may impose limitations

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- I. **Mental/Physical Illness, Currently Able to Practice Subject to Appropriate Treatment, Monitoring, or Supervision:** Inability to practice according to acceptable and prevailing standards of care by reason of mental or physical illness (including any mental disorder, mental illness, physical illness, or physical deterioration, that adversely affects cognitive, motor, or perceptive skills) without appropriate treatment, monitoring, or supervision.

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: If applicant: Granting of license subject to probationary terms and conditions, min. 2 years.  
If licensee: Probation, min. 2 years.

**Wisconsin**

- Maximum Penalty:
  - Minimum Penalty:
- **Summary Suspension**

**CATEGORY X**  
**C.M.E. REQUIREMENTS**

- A. **Failure to respond timely to C.M.E. audit, but requisite C.M.E. completed.**

**Ohio**

- Maximum Penalty: Reprimand; subject to mandatory audits of compliance with CME requirements for the current CME acquisition period and for two full CME acquisition periods thereafter.
- Minimum Penalty: Reprimand.

If fraudulent misrepresentations (other than false certification of completion) are made with respect to C.M.E., category III penalty may be appropriate in addition to the standard C.M.E. penalty. A bifurcated order may be used.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

- B. **Failure to complete C.M.E. as certified on renewal application.**

**Ohio**

- Maximum Penalty: Reprimand; \$5,000.00 fine; indefinite suspension until any outstanding shortage of CME credits has been rectified; subject to mandatory audits of compliance with CME requirements

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during suspension (if any), for the current CME acquisition period at the time of reinstatement (or for current CME acquisition period if no suspension), and for two full CME acquisition periods thereafter.

- Minimum Penalty: Reprimand; \$1,000.00 fine; indefinite suspension until any outstanding shortage of CME credits has been rectified; subject to mandatory audits of compliance with CME requirements during suspension (if any), for the current CME acquisition period at the time of reinstatement (or for current CME acquisition period if no suspension), and for two full CME acquisition periods thereafter.

If fraudulent misrepresentations (other than false certification of completion) are made with respect to C.M.E., category III penalty may be appropriate in addition to the standard C.M.E. penalty. A bifurcated order may be used.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**C. Failure to complete C.M.E. as certified on renewal application; repeat offense.**

**Ohio**

- Maximum Penalty: \$5,000.00 fine; indefinite suspension, min. 90 days, with conditions for reinstatement; subject to mandatory audits of compliance with CME requirements during suspension, for the current CME acquisition period at the time of reinstatement, and for two full CME acquisition periods thereafter.
- Minimum Penalty: \$3,000.00 fine; indefinite suspension, min. 60 days, with conditions for reinstatement; subject to mandatory audits of compliance with CME requirements during suspension, for the current CME acquisition period at the time of reinstatement, and for two full CME acquisition periods thereafter.

If fraudulent misrepresentations (other than false certification of completion) are made with respect to C.M.E., category III penalty may be appropriate in addition to the standard C.M.E. penalty. A bifurcated order may be used.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**CATEGORY XI**  
**MISCELLANEOUS VIOLATIONS**

**A. Violating or attempting to violate, directly or indirectly, or assisting in or abetting violation of, or conspiring to violate, the Medical Practices Act or any rule promulgated by the Board.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.

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- Minimum Penalty: Correspond to minimum penalty for actual offense.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Revocation
  - Suspension (Stayed)
  - Surrender/agree if reapply may impose limitations

**B. Violation of any abortion law or rule.**

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Reprimand.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**C. Permitting name or certificate to be used when not actually directing treatment.**

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:

**Ohio**

- Maximum Penalty: Permanent revocation of certificate or permanent denial of application.
- Minimum Penalty: Suspension, 1 year, subsequent probation, min. 1 year.

**D. Failure to cooperate in an investigation conducted by the Board**

**Ohio**

- Maximum Penalty: Indefinite suspension of license with conditions for reinstatement to include, at a minimum, full cooperation in the underlying investigation.
- Minimum Penalty: Reprimand, as long as respondent has fully cooperated in the underlying investigation.

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Suspension (Stayed)
  - Reprimand/education

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**OTHER – Not covered in Ohio's categories.**

**A. Recordkeeping – Inadequate records documenting interaction.**

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Reprimand/limit/maintain compliance with another state order
  - Limitation – mentor, supervision
  - Reprimand/education

**B. Failure to inform a patient about the availability of all alternate, viable medical modes of treatment and about the benefits and risks of these treatments, including the benefits and risks associated with the use of extended wear contact lenses.**

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Reprimand
  - Reprimand/education

**C. Violating or aiding and abetting the violation of any law or administrative rule or regulation the circumstances of which substantially relate to the circumstances of the practice of medicine.**

**Wisconsin**

- Maximum Penalty:
- Minimum Penalty:
  - Suspension (Stayed)